PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/767,583
Filing Date:	January 29, 2004
Applicant:	Fred Reed, et al.
Group Art Unit:	2629
Examiner:	Lao, Lun Yi
Title:	SINGLE KNOB MULTIFUNCTION CONTROLLER AND DISPLAY UNIT
Attorney Docket:	706767US1

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Commissioner for Patents
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REPLY BRIEF

Sir:

This Reply Brief is submitted in response to the Examiner's Answer mailed December 26, 2007.

I. STATUS OF CLAIMS

Claims 1-13 stand rejected and are the subject of this Appeal.

II. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection to be reviewed on appeal are:

1) Unpatentability of claims 1-3, 5, 7-9, 11 and 13 under 35 U.S.C. §103(a) over Hengst, U.S. Patent No. 6,005,299, in view of Ishiguro, U.S. Patent No. 6,176,589.

2) Unpatentability of claims 4 and 10 under 35 U.S.C. §103(a) over Hengst, U.S. Patent No. 6,005,299, in view of Ishiguro, U.S. Patent No. 6,176,589, and further in view of Bollgohn et al., U.S. Patent No. 6,769,320.

3) Unpatentability of claims 6 and 12 under 35 U.S.C.§103(a) over Hengst, U.S. Patent No. 6,005,299 in view of Ishiguro, U.S. Patent No. 6,176,589, and further in view of Goldenberg et al., U.S. Patent No. 6,636,197.

III. ARGUMENT

In the rejections of claims 1-13 under 35 U.S.C. §103(a), the Examiner relies on various combinations of references with the primary reference to Hengst, U.S. Patent No. 6,005,299. Upon further review of the Hengst reference, Applicants respectfully note that neither Hengst nor the other cited art, alone or in combination, teaches "a knob which bidirectionally rotatable at a rest level and a pressed level" (claim 1), or "a knob which is bidirectionally rotatable at a first level and a second level" (claim 7), or "controlling said one of said functions by rotating said knob at said second level" (claim 13) (emphasis added).

Hengst, while teaching selection by rotation, teaches only activation by pushing or pulling on the knob. Hence, there is no teaching in Hengst of truly controlling the function in the pressed or second level by rotation of the knob. The functions in Hengst are merely turned on or off or the levels of menus are changed by pushing or pulling the knob. Note particularly, column 3, lines 28-30 of Hengst:

> "...then the rotary function of the rotary switch is inhibited during the pushing motion and the pulling motion of the rotary switch."

The Examiner's characterization of the movement from display screen to display screen as shown in Figs. 3 of Hengst is believed to be incorrect. Hengst teaches rotation of the knob only at the central position 3, not the pushed position 5 or the pulled position 7.

Goldenberg et al., U.S. Patent No. 6,636,197, at column 6, appears to generally describe rotation of a control knob at various translatable positions, but the disclosure appears related to movement of a cursor in a display screen.

Hengst does not teach or suggest control of a function by rotation of the knob in the pressed or pulled positions. As such, the cited combinations of art with Hengst fail to teach or suggest every limitation of Applicants' claims.

The newly cited German reference, submitted with an Information Disclosure Statement of even date herewith, shows a plurality of rotary selection planes, but does not appear to teach Applicants' first selecting a function by rotary selection and then controlling that function by depressing the knob and rotating it at the second level.

Finally, Applicants do not believe the Examiner has rebutted their arguments set forth over dependent claims 5, 11 and 13 in the Appeal Brief.

Therefore, independent claims 1, 7 and 13 and their respective dependent claims are patentably distinct over any combination of the art of record, and the rejection of claims 1-13 should be reversed.

Respectfully submitted,

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